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22. (FOUR TIMES AMENDED) A method of obtaining information associated with playback of recordings containing segments at a first device connectable to a second device via a network, comprising:

identifying at least one segment of a recording, fixed in a medium possessed by a user, based on information obtained from contents of the recording stored in the medium for a purpose other than identifying the recording;

collecting, at the first device, use data associated with the recording, the use data including segment data identifying the at least one segment played at the first device; and

transferring the use data from the first device to the second device via the network.

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27. (ONCE AMENDED) A method as recited in claim 22, wherein the medium is a compact disc with audio content, the segments are tracks on the compact disc and the segment data indicate playback of the tracks on the compact disc.

28. (ONCE AMENDED) A method as recited in claim 22, wherein the medium is a digital versatile disc, the segments are tracks on the digital versatile disc and the segment data indicate playback of the tracks on the digital versatile disc.

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30. (ONCE AMENDED) A method as recited in claim 29, wherein the medium is a disc and the length of the segments is obtained from table of contents information on the disc.

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41. (FOUR TIMES AMENDED) A system for obtaining information based on playback of at least one recording at a first device connected to a second device via a network, comprising:

identification means for identifying a recording based on information obtained from contents of the recording stored in the medium for a purpose other than identifying the recording;

collection means for collecting use data related to at least one of a portion of a recording fixed in a medium possessed by the user, and play time of the recording;

connection means for establishing a connection between the first and second devices;

transmission means for sending the use data from the first device to the second device via the network; and

storage means for storing the use data at the second device.

E6 43. (THREE TIMES AMENDED) A computer-readable storage storing instructions to control a processor to perform a process comprising:

collecting, at a first device, use data associated with playback of a recording, fixed in a medium possessed by a user and identified by information obtained from contents of the recording used to play back contents of the recording perceived by the user; and

transferring the use data from the first device to a second device connected to the first device via a network.

E7 62. (THREE TIMES AMENDED) A system for transferring information associated with playback of a recording, comprising:

a first device to reproduce a recording fixed in a medium possessed by a user, to identify the recording from information obtained from contents of the recording stored in the medium for a purpose other than identifying the recording, and to collect use data associated with the recording;

a second device to store the use data; and

a network coupled to said first and second devices to transfer the use data from said first device to said second device.

E8 93. (ONCE AMENDED) A method of obtaining information associated with playback of recordings at a first device connectable to a second device via a network, comprising:

collecting, at the first device, use data associated with a recording identified by information obtained from contents of the recording used to play back contents of the recording perceived by a user; and

transferring the use data from the first device to the second device via the network.

94. (ONCE AMENDED) A method of obtaining information associated with playback of recordings containing segments at a first device connectable to a second device via a network, comprising:

identifying at least one segment of a recording, based on information obtained from or related to the segment and included in the recording to enable playback of the segment rather than to identify the segment;

collecting, at the first device, use data associated with the at least one segment of the recording, the use data including segment data identifying the at least one segment played at the first device; and

transferring the use data from the first device to the second device via the network.

95. (ONCE AMENDED) A system for obtaining information based on playback of at least one recording at a first device connected to a second device via a network, comprising:

identification means for identifying a recording based on information obtained from contents of the recording used to play back contents of the recording perceived by a user;

collection means for collecting use data related to at least one of a portion of a recording fixed in a medium possessed by the user, and play time of the recording;

connection means for establishing a connection between the first and second devices;

transmission means for sending the use data from the first device to the second device via the network; and

storage means for storing the use data at the second device.

96. (ONCE AMENDED) A computer-readable storage storing instructions to control a processor to perform a process comprising:

collecting, at a first device, use data associated with playback of a recording identified by information obtained from contents of the recording used to play back contents of the recording perceived by a user; and

transferring the use data from the first device to a second device connected to the first device via a network.

97. (ONCE AMENDED) A system for transferring information associated with playback of a recording, comprising:

a first device to reproduce a recording, to identify the recording from information obtained from contents of the recording used to play back contents of the recording perceived by a user and to collect use data associated with the recording;

a second device to store the use data; and

a network coupled to said first and second devices to transfer the use data from said first device to said second device.



Please ADD the following new claims:

98. (NEW) A method as recited in claim 22, wherein the medium is a compact disc, each segment is a portion of a track on the compact disc determined by track number and playing time within the track, and the segment data indicate playback of the segments on the compact disc.

99. (NEW) A method as recited in claim 22, wherein the information used to identify the recording is stored in the medium prior to possession of the medium by the user.

100. (NEW) A computer-readable storage as recited in claim 43, wherein the information used to identify the recording was not stored for the purpose of identifying the recording.

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101. (NEW) A method as recited in claim 93, wherein the information used to identify the recording was not stored for the purpose of identifying the recording.

102. (NEW) A system as recited in claim 95, wherein the information used to identify the recording was not stored for the purpose of identifying the recording.

103. (NEW) A computer-readable medium as recited in claim 96, wherein the information used to identify the recording was not stored for the purpose of identifying the recording.

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104. (NEW) A system as recited in claim ~~97~~<sup>1</sup>, wherein the information used to identify the recording was not stored for the purpose of identifying the recording.

#### REMARKS

In the Office Action dated May 4, 2001, the Examiner noted that claims 1-97 were pending in the application, claims 2, 3, 22, 40, 41, 43, 62, 71, 76, 77, 81, 82 and 93-97 were rejected under 35 U.S.C. § 102(b); claims 4-21, 23-28, 31-39, 42, 44-61, 63, 64-70, 72, 74, 78, 80 and 83-92 were rejected under 35 U.S.C. § 103; and claims 29, 30, 64, 73, 75 and 79 were objected to as dependent from a rejected base claim, but otherwise allowable. In rejecting the claims, U.S. Patents 4,599,644 to Fischer (Reference B in the October 20, 2000 Office Action);